

REMARKS

This Amendment is respectfully submitted in response to the Office Action dated April 20, 2007. Claims 6, 23, 25, 31, 33-35, 39-44, 46, 49-51, 54-56, 58-64, 66, 67, 69, 70, 81 and 82 are pending in the application. Claims 6, 23, 25, 31, 33-35, 39-44, 46, 49-50 have been canceled without prejudice or disclaimer. Applicants reserve the right to file any and all of these claims in one or more continuing applications. Claims 51 and 64 have been amended. Claims 83 and 84 have been added. No new subject matter has been added by the amendments or new claims. The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing.

Claims 51, 54-56, 58-63 and 81 stand rejected under 35 U.S.C. §112, first paragraph, for allegedly including new matter. In particular, the Office Action considers the use of the term "proportion" in Claim 51 as new matter. Applicants have deleted that term from the preamble and respectfully submit that this rejection is now moot. In addition, the Office Action considers the use of the term "gene" in relation to *c-myc* in Claim 51 as new matter. Applicants have deleted reference to the term "gene" in Claim 51 as suggested in the Office Action. For at least the foregoing reasons, Applicants respectfully submit the rejections based on 35 U.S.C. §112, first paragraph, have been overcome.

In the Office Action, the rejection of Claims 51-52, 54-56, 58-64, 66-67 and 69-77 under 35 U.S.C. §103(a) has been withdrawn. In accordance with the recommendation in the Office Action, Applicants have amended Claim 64 to delete the phrase "resists differentiation".

In addition, Claims 51 and 64 have been amended to eliminate the differentiation step from the respective methods in accordance with the changes to the preamble of the claims and have been re-drafted in dependent form in new Claims 83 and 84. Accordingly, Applicants submit that such new claims require no further examination and are in condition for allowance.

In the Office Action, the rejection of Claims 6, 23, 25, 31, 33-35, 39-44, 46 and 48-50 under 35 U.S.C. §103(a) as being unpatentable over *Nakafuku* in view of the publication to *Eilers et al.* and/or the publication to *Evans et al.* has been maintained. To place the current

application in condition for allowance, Applicants have canceled without prejudice or disclaimer Claims 6, 23, 25, 31, 33-35, 39-44, 46 and 48-50. The rejection is thus moot.

Accordingly, for at least the reasons provided above, Applicants respectfully submit that the rejections have been overcome and the claims are in condition for allowance.

An earnest endeavor has been made to place this application in condition for allowance and such allowance is courteously solicited. If the Examiner has any questions related to this Response, Applicants respectfully submit that the Examiner contact the undersigned. Respectfully submitted,

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Dated: June 20, 2007